

HONOURABLE SRI JUSTICE U.DURGA PRASAD RAO

CRIMINAL PETITION No.4301 OF 2018

ORDER.

This Criminal Petition is filed under Section 482 Cr.P.C. by the petitioner/accused seeking to quash the proceedings against him in Cr.No.47 of 2018 of I Town Police Station, Kakinada, East Godavari District, registered for the offences under Sections 420, 468 and 471 read with 34 of I.P.C.

Investigation is reported to be pending.

The submission of the learned counsel for the petitioner is that the petitioner has already filed O.S.No.11 of 2017 on the file of II Additional Senior Civil Judge, Kakinada seeking specific performance on 20-3-2013 executed by the brother of the complainant namely K.Veera Venkata Srinivas and as a counter blast to the said suit, the complainant lodged a false report to the police as if the petitioner created a forged document.

Learned counsel would submit that if the document is forged one, that aspect can be decided in the suit.

Learned Additional Public Prosecutor submitted that investigation is in the initial stage.

Having regard to the facts involved in the complaint, this Court is of the view that investigation shall go on. However, the Investigating Officer shall strictly follow the guidelines of the Apex Court rendered in *ARNESH KUMAR Vs. STATE OF BIHAR* (¹) and also

¹ 2014 (3) ACR 2670 (SC)

follow the provision under Section 41-A Cr.P.C. towards the petitioners. In turn, the petitioner shall cooperate with the investigating agency for smooth completion of investigation.

Accordingly, this Criminal Petition is disposed of.

As a sequel, miscellaneous applications pending if any, shall stand closed.

JUSTICE U.DURGA PRASAD RAO

Dated 1st May, 2018.

Note:

Issue C.C. tomorrow.

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Dvs



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Dvs